

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applica	ation of:)	
) Art Unit:	2134
Robert Davi	id Graham)	•
) Examiner:	Andrew L. Nalven
Serial No.:	09/874,574)	
) Docket No.:	05456.105035
Filed:	June 4, 2001)	
-) Conf. No.:	5484
For: System	and Method for Preventing)	
Netwo	rk Misuse)	

INFORMATION DISCLOSURE STATEMENT ("IDS") WITH AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT THE APPROPRIATE FEE TO CONSIDER THE IDS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement ("IDS") for consideration by the Examiner. The patents, publications or other information submitted for consideration by the Patent Office are listed on Form PTO-1449, attached hereto. Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

Except as may be indicated below, all of the patents, publications or other information are in the English language, a copy of which is attached hereto and therefore, a concise explanation of each reference is not required. The following additional information is provided for the Examiner's consideration.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 23, 2005.

Minikia D. Blair

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To assist the Examiner in reviewing this IDS, the Applicant has conducted a key word search of each U.S. patent and U.S. patent application publication listed on the attached Form PTO-1449. The Applicant used the following search terms in his query of the U.S. patents and U.S. patent application publications: (1) "computer\$"; (2) "intrusion\$", (3) "detect\$", (4) "(classif\$ or type or types)", (5) "(signature\$ or context\$)" and (6) "(store\$ or save or saved or record\$)." The Applicant used Boolean logic when performing this search in which each term was linked by the logical connector "AND." A search of these U.S. patents and U.S. patent application publications using the aforementioned terms and Boolean search logic yielded the following results (33 patents and 8 publications):

U.S. PATENTS
U.S. Patent No. 5,278,901 to Shieh et al.
U.S. Patent No. 5,414,833 to Hershey et al.
U.S. Patent No. 5,440,723 to Arnold et al.
U.S. Patent No. 5,557,742 to Smaha et al.
U.S. Patent No. 5,919,258 to Kayashima et al.
U.S. Patent No. 6,088,804 to Hill et al.
U.S. Patent No. 6,275,942 to Bernhard et al.
U.S. Patent No. 6,279,113 to Vaidya
U.S. Patent No. 6,282,546 to Gleichauf et al.
U.S. Patent No. 6,298,445 to Shostack et al.
U.S. Patent No. 6,301,668 to Gleichauf et al.
U.S. Patent No. 6,321,338 to Porras et al.
U.S. Patent No. 6,324,647 to Bowman-Amuah
U.S. Patent No. 6,347,374 to Drake et al.
U.S. Patent No. 6,353,385 to Molini et al.
U.S. Patent No. 6,405,318 to Rowland
U.S. Patent No. 6,405,364 to Bowman-Amuah
U.S. Patent No. 6,415,321 to Gleichauf et al.
U.S. Patent No. 6,460,141 to Olden
U.S. Patent No. 6,477,651 to Teal
U.S. Patent No. 6,484,203 to Porras et al.
U.S. Patent No. 6,487,666 to Shanklin et al.
U.S. Patent No. 6,499,107 to Gleichauf et al.
U.S. Patent No. 6,578,147 to Shanklin et al.
U.S. Patent No. 6,606,744 to Mikurak
U.S. Patent No. 6,647,400 to Moran
U.S. Patent No. 6,681,331 to Munson et al.

U.S. PATENTS	
U.S. Patent No. 6,708,212 to Porras et al.	
U.S. Patent No. 6,711,615 to Porras et al.	
U.S. Patent No. 6,792,546 to Shanklin et al.	<u> </u>
U.S. Patent No. 6,816,973 to Gleichauf et al.	
U.S. Patent No. 6,839,850 to Campbell et al.	
U.S. Patent No. 6,912,676 to Gusler et al.	

U.S. Patent Application Publications	
U.S. Patent Application Publication No. 2002/0032717 to Malan et al.	
U.S. Patent Application Publication No. 2002/0032793 to Malan et al.	
U.S. Patent Application Publication No. 2002/0035698 to Malan et al.	
U.S. Patent Application Publication No. 2002/0138753 to Munson	
U.S. Patent Application Publication No. 2002/0144156 to Copeland III et al.	
U.S. Patent Application Publication No. 2003/0088791 to Porras et al.	
U.S. Patent Application Publication No. 2003/0212903 to Porras et al.	
U.S. Patent Application Publication No. 2004/0010718 to Porras et al.	

The Applicant submits that these search terms cannot be interpreted as providing emphasis on these terms when the claims are interpreted and construed by both the Examiner and the courts. The Applicant merely selected these terms to identify the prior art that may be more relevant than prior art that do not contain these search terms.

To further assist the Examiner, the Applicant has organized each of the U.S. Patents and U.S. Patent Application Publications according to classification. For the non-U.S. patent prior art, the Applicant has annotated Form PTO-1449 with the location of each document in a respective box.

The Applicant exerted this additional time and effort to help the Examiner so that if a patent is ever issued on this patent application, third parties will understand that the Applicant submitted the attached prior art on a good faith basis. The Applicant recognizes that the attached prior art is voluminous but it is not the Applicant's intent to "bury" any patents that maybe more pertinent than other ones. The Applicant does not want to dismiss any reference that he is aware of as cumulative in order to prevent third parties from arguing that the Applicant intentionally did not submit any prior art in an effort to deceive the Examiner and the Patent Office.

Appl. No. 09/874,574 Information Disclosure Statement Docket No. 05456.105035

This IDS is being filed under 37 C.F.R. § 1.97(b)(4), before the mailing of a first Office Action after the filing of a request for continued examination 37 C.F.R. § 1.114. No certification is required. No fee is believed to be due. However, should the Commissioner determine otherwise, he is authorized to charge such fees to Deposit Account No. 11-0980.

If the Examiner has any questions concerning this IDS, he is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the Patent Office is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 11-0980.

Enclosures:

- 1. Form PTO-1449
- 2. Foreign Patents
- 3. Publications
- 4. Postcard

Respectfully submitted,

KING & SPALDING LLP

Steven P Wion

Wigmore, Esq., Reg. No. 40,447

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PPLICANT				GROUP			
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EXAMINER INITIAL	DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	5,696,486	12/9/97	Poliquin	et al.	340		
AB	6,353,385	3/5/02	Molini et	t al.	340		
AC	5,353,393	10/4/94	Bennett e	et al.	345		
AD	6,429,952	8/6/02	Olbricht		358		
AE	5,748,098	5/5/98	Grace		370		
AF	6,396,845	5/28/02	Sugita		370		
AG	6,711,127	3/23/04	Gorman	et al.	370		
AH	5,734,697	3/31/98	Jabbarne	zhad	379		
AI	6,104,783	8/15/00	DeFino		379		
AJ	6,226,372	5/1/01	Beebe et	; al.	379		
AK	6,445,822	9/3/02	Crill et a	1.	382		
AL	6,563,959	5/13/03	Troyank	er	382		
AM	6,618,501	9/9/03	Osawa et	t al.	382		
		F	OREIGN	PATENT DOCUMEN	NTS		
	DOCUMENT NUMBER	DATE	COUNT		NAME		TRANSLATION YES NO.

FORM PTO-1449, Adapted LIST OF INFORMATION DISCLOSED BY APPLICANT (Use several sheets if necessary) ATTY. DOCKET NO. SERIAL NO. FILING DATE 05456.105035 09/874,574 June 4, 2001 APPLICANT GROUP Robert David Graham 2134 **U.S. PATENT DOCUMENTS EXAMINER** DOCUMENT NUMBER DATE NAME CLASS SUBCLASS FILING DATE INITIAL IF APPROPRIATE AN 6,628,824 9/30/03 382 Belanger AO 6,647,139 11/11/03 Kunii et al. 382 AP 6,661,904 12/9/03 Sasich et al. 382 6,668,082 12/23/03 382 AQ Davison et al. AR 6,668,084 12/23/03 Minami 382 AS 6,792,144 9/14/04 Yan et al. 382 AT 5,345,595 9/6/94 Johnson et al. 455 ΑU 8/21/01 6,278,886 Hwang 455 AV6,889,168 05/03/05 Hartley et al. 702 AW5/11/93 702 5,210,704 Husseiny AX 5,842,002 11/24/98 703 Schnurer et al. 703 ΑY 5,854,916 12/29/98 Nachenberg ΑZ 5,999,723 12/7/99 703 Nachenberg BA6,067,410 5/23/00 Nachenberg 703 BB5,864,803 1/26/99 Nussbaum 704 FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COUNTRY NAME YES NO. OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.) **EXAMINER DATE CONSIDERED** EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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APPLICANT				İ	GROUP					
Robert Day	vid Gr	aham			2134					
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE		NAME		SUBCLASS	FILING DATE IF APPROPRIATE		
	CF	5,964,839	10/12/99	Johnson et	al.	709		-		
	CG	5,974,237	10/26/99	Shurmer et	al.	709				
	СН	5,974,457	10/26/99	Waclawsk	y et al.	709				
	СН	5,983,270	11/9/99	Abraham e	et al.	709				
	CJ	6,009,467	12/28/99	Ratcliff et	Ratcliff et al.					
	СК	6,026,442	2/15/00	Lewis et al	l	709				
	CL	6,035,323	3/7/00	Narayen et	al.	709				
	СМ	6,041,347	3/21/00	Harsham e	sham et al.					
	CN	6,052,709	4/18/00	Paul		709				
	со	6,070,190	5/30/00	Reps et al.		709				
	СР	6,073,172	6/6/00	Frailong et	al.	709				
	CQ	6,085,224	7/4/00	Wagner		709				
	CR	6,119,165	9/12/00	Li et al.		709				
	CS	6,195,687	2/27/01	Greaves et	al.	709				
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
	FS	6,088,803	7/11/00	Tso et al	•	713				
	FT	6,088,804	7/11/00	Hill et al		713				
	FU	6,092,194	7/18/00	Touboul		713				
	FV	6,098,173	8/1/00	Elgressy	et al.	713				
	FW	6,119,234	9/12/00	Aziz et a	ıl.	713				
	FX	6,122,738	9/19/00	Millard		713				
	FY	6,154,844	11/28/00	Touboul	et al.	713				
	FZ	6,167,520	12/26/00	Touboul		713				
	GA	6,185,689	2/6/01	Todd, Si	et al.	713				
	GB	6,205,552	3/20/01	Fudge		713				
	GC	6,266,773	7/24/01	Kisor et	al.	713				
	GD	6,266,774	7/24/01	Sampath	et al.	713				
	GE	6,272,641	8/7/01	Ji		713		····		
	GF	6,275,938	8/14/01	Bond et	al.	713				
	GG	6,275,942	8/14/01	Bernhard	d et al.	713				
	GH	6,279,113	8/21/01	Vaidya		713				
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	IA	5,452,442	9/19/95	Kephart			714			
	IB	5,649,095	7/15/97	Cozza			714			
-	IC	5,765,030	6/9/98	Nachenbe	erg et al.		714			
	ID	5,964,889	10/12/99	Nachenberg			714			
	IE	6,006,016	12/21/99	Faigon et al.			714			
	IF	6,016,553	1/18/00	Schneider	r et al.		714			
	IG	6,021,510	2/1/00	Nachenbe	erg		714			
	IH	6,029,256	2/22/00	Kouznets	ov		714			
	II	6,035,423	3/7/00	Hodges e	t al.		714			
	IJ	6,094,731	7/25/00	Waldin et	al.	··	714			
	IK	6,108,799	8/22/00	Boulay et	al.		714			
	IL	6,173,413	1/9/01	Slaughter	et al.		714			
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	IN	6,199,181	3/6/01	Rechef et	t al.	714		···	
	Ю	6,230,288	5/8/01	Kuo et al	•	714			
	IP	6,314,525	11/6/01	Mahaling	gham et al.	714			
	IQ	6,324,656	11/27/01	Gleichau	f et al.	714			
	IR	6,601,190	7/29/03	Meyer et	al.	714			
	IS	2002/0032880	3/14/02	Poletto et	t al.	714			
	IT	5,454,074	9/26/95	Hartel et	al.	715			
	IU	5,522,026	5/28/96	Records	et al.	715			
	IV	6,271,840	8/7/01	Finseth e	t al.	715			
	IW	6,517,587	2/11/03	Satyavoli	u et al.	715			
	IX	6,535,227	3/18/03	Fox et al.	•	715			
	IY	4,819,234	4/4/89	Huber		717			
	IZ	5,590,331	12/31/96	Lewis et	al.	717			
	JA	5,774,727	6/30/98	Walsh et	al.	717	ĺ		
	JB	5,872,978	2/16/99	Hoskins		717			
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	JD	6,118,940	9/12/00	Alexand	er, III et al.	717		_		
	JЕ	6,405,364	6/11/02	Bowman	-Amuah	717				
	JF	6,606,744	8/12/03	Mikurak	Mikurak					
	JG	6,397,242	5/28/02	Devine et al.		718				
	JH	2002/0032717	3/14/02	Malan et	al.	718				
	Л	6,477,585	11/5/02	Cohen et	al.	719				
	JJ	6,721,806	4/13/04	Boyd et	al.	719				
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		WO 01/084285	11/08/01	PCT		Internet Security	Systems,	inc.			
	JL	WO 02/006928	01/24/02	PCT	 	vCIS, Inc.					
	JM 	WO 00/054458	09/14/00	PCT		Psionic Software	, Inc.	<u> </u>			
	JN	WO 02/056152	07/18/02	PCT		Psionic Software					
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	JQ	WO 00/02115	01/13/00	PCT		PRC Inc.					
	JR	WO 99/00720	01/07/99	PCT		Telefonaktiebola	get LM E	ricsson			
	JS	WO 99/50734	10/07/99	PCT		AT&T Corporati	on				
	JT	WO 98/41919	09/24/98	PCT		Trend Micro, Inc	:				
	JU	WO 99/53391	10/21/99	PCT		Sun Microsysten	ns, Inc.				
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	JW	WO 99/15966	04/01/99			Symantec Corpo	ration				
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	JX	Essex, David,	E-Sleuths M	lake Net S	Safe for I	E-Commerce, Compu	iterworld,	June 2000, pp	. 1-2		
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	JZ	International S	International Search Report for PCT/US02/17161 of December 31, 2002								
	KA					curity Applications: A	A New Sec	urity Manager	ment Para	digm	
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Sheet 19 of 49 FORM PTO-1449, Adapted LIST OF INFORMATION DISCLOSED BY APPLICANT (Use several sheets if necessary) FILING DATE ATTY. DOCKET NO. SERIAL NO. 05456.105035 09/874,574 June 4, 2001 APPLICANT GROUP BOX 1/4 Robert David Graham 2134 **U.S. PATENT DOCUMENTS** EXAMINER DOCUMENT NUMBER DATE CLASS SUBCLASS NAME FILING DATE INITIAL IF APPROPRIATE FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COUNTRY NAME YES OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.) KB Koilpillai et al., Recon-A Tool for Incident Detection, Tracking and Response, Darpa Information Survivability Conference and Exposition, 2000, pp. 199-206 Alves-Foss, J., An Overview of SNIF: A Tool for Surveying Network Information Flow, Network and KC Distributed System Security, 1995, pp. 94-101 KD Mansouri-Samani et al., A Configurable Event Service for Distributed Systems Configurable Distributed Systems, 1996, pp. 210-217 International Search Report for PCT/US01/13769 of March 8, 2002 KE Jagannathan et al., System Design Document: Next-Generation Intrusion Detection Expert Systems (NIDES), KF Internet Citation, March 9, 1993, XP002136082, pp. 1-66 KG Koilpillai, Adaptive Network Security Management, DARPA NGI PI Conference, October 1998, pp. 1-27 KH Hiverworld Continuous Adaptive Risk Management, Hiverworld, Inc., 1999-2000, pp. 1-14 ΚI International Search Report for PCT/US02/04989of September 19, 2002 KJ International Search Report for PCT/US02/02917 of August 8, 2002 KK International Search Report for PCT/US03/00155 of May 15, 2003 KL NXI Communications, Inc., White Paper, NTS Security Issues, October 15, 2001, pp. 1-12 Mounji et al., Distributed Audit Trail Analysis, Proceedings of the Symposium of Network and Distributed KM System Security, San Diego, CA, February 16-17, 1995, PP. 102-112

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	KP	Dawson, Intru	Dawson, Intrusion Protection for Networks, Byte, April 1995, pp. 171-172							
	KQ	Buhkan, Chec	Buhkan, Checkpoint Charlie, PC Week Network, November 27, 1995, pp. N1, N6-N7							
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	KU					er II-4-4 of Handbook erbach, Boston and Ne				
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	KW	Garg et al., Hi	gh Level C	ommunicati	ion Prim	itives for Concurrent	Systems,	IEEE, 1988,	pp. 92-99	
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	KY					on Issues in a Distribu ornia, 1991, pp. 1-40	ited Intru	sion Detectio	n System, Master	
	KZ	Guha et al., N Solutions, IEE				ngineering of TCP Co	de: Vuln	erability Anal	ysis and Proposed	
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	LA					on Gateway Firewall			7, pp. 72-81		
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	LB					ironment: A Case Stu Jniversity of Alabam			Network Layer		
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	LG	Safford et al. Environment California, pp	," USENIX	U Security Symposium	Package Proceed	: An Ongoing Respondings, UNIX Security	ise to Into	ernet Intruder ber 4-6, 1993	s in an Academic , Santa Clara,		
	LH		ference on C	Computers a		Diagnostic and Obser nunications, 1990 Co					
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	LJ	Burchell, Jon	athan, "Vi-S	SPY: Unive	rsal NIM	?" Virus Bulletin, Ja	nuary 199	95, pp. 20-22.			
	LK					Objects in a Trusted larence, October 10-13					
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	LP	Drews et al., Computing,				Software Distribution 9, 91-95.	Can Mak	e You A Here	o," Network			
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	LU					the '90s," Proceeding , Long Beach, Califor			Administration			
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Sheet 48 of 49 FORM PTO-1449, Adapted LIST OF INFORMATION DISCLOSED BY APPLICANT (Use several sheets if necessary) ATTY, DOCKET NO. SERIAL NO. FILING DATE 09/874,574 05456.105035 June 4, 2001 APPLICANT **GROUP** BOX 4/4 **Robert David Graham** 2134 U.S. PATENT DOCUMENTS EXAMINER DOCUMENT NUMBER DATE CLASS SUBCLASS NAME FILING DATE INITIAL IF APPROPRIATE FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COUNTRY NAME YES **OTHER REFERENCES** (Including Author, Title, Date, Pertinent Pages, Etc.) WH "Internet Scanner™, User Guide," Version 5.3, © 1992-1998, Internet Security Systems, Inc. pgs. 1-173. WI "Real Secure, Console User Guide," Version 5.5, © 199?-2000, Internet Security Systems, Inc., pgs. 1-162. WJ "Internet Scanner™, User Guide," Version 5.8, © 1999 by Internet Security Systems, Inc., pgs. 1-148. WK "SAFEsuite Decisions, User Guide," Version 1.0, © 1992-1998, Internet Security Systems, Inc., pgs. 1-88. WL "Real SecureTM, Console User Guide," Version 5.0, © 2000 by Internet Security Systems, Inc., pgs. 1-114. WM "SAFEsuite DECISIONS, User Guide," Version 2.5, © 2000 by Internet Security Systems, Inc., pgs. 1-194. "System Scanner, User Guide," Version 1.7, @ 1992-1998, Internet Security Systems, Inc., pgs. 1-248. WN WO "Sytem Scanner, User Guide," Version 1.0, © 1996-1998, Internet Security Systems, Inc., pgs. 1-140. WP "System ScannerTM, User Guide," Version 4.0, © 1999 by Internet Security Systems, Inc., pgs. 1-178. Internet Security Systems, Inc., "Introduction to RealSecure Version 5.0, The Industry's Only Integrated Host-WO Based and Network-Based Intrusion Detection System", August 22, 2000, pp. 1-47 WR Internet Security Systems, Inc., "RealSecure Network Sensor and Gigabit Network Sensor Policy Guide Version 7.0", August 2003, pp. 1-86 WS Internet Security Systems, Inc., "RealSecure Console User Guide Version 3.1", June 1999, pp. 1-98 Internet Security Systems, Inc., "RealSecure Version 2.0", April 1998, pp. 1-154 WT WU Internet Security Systems, Inc., "Enhanced Dynamic Threat Protection via Automated Correlation and Analysis", an ISS White Paper, 2002, pp. 1-14

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